GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – SPSR Nellore District – Revenue Department – Sri Syed Jani Basha, Tahsildar, Pellakur Mandal – Allegations of irregularities in issuing pattadar pass book and maintenance of Revenue records – Disciplinary action initiated – Awarded Punishment of removal from service – Appeal filed in the Government – punishment issued by CCLA cancelled – Show cause notice to issue punishment of 100% cut in pension and gratuity as per Rule 9 of A.P Revised Pension Rules 1980-Explanation submitted – Imposed punishment of 50% cut in pension and Gratuity permanently against Sri Syed Jani Basha, Tahsildar, Pellakur Mandal (Retd)- Orders – Issued

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G.O.MS.No. 92 Dated: 05-03-2016
Read the following

1) Appeal Petition of Sri Syed Jani Basha Tahsildar (Retd) dated 01.12.2014.
2) Govt. Memo no 35121/Vig.III(2)/2013-1 dated. 04.12.2014.
3) From the CCLA Lr. No.V.S.II(2)/3209/2013 dated 10/12/2014.
4) Govt. Memo no 35121/Vig.III(2)/2013-2 dated.16.02.2015.
5) Govt. Memo no 35121/Vig.III(2)/2013-3 dated.16.02.2015.
5) Explanation of Sri Syed Jani Basha Tahsildar (Retd) dated 30.03.2015.
6) From the From Prl. Secretary to APPSC Lr. No 505/RT/1/2015 dated 21.09.2015.
7) Govt. Lr. No 35121/Vig.III(2)/2013 dated 01.02.2016.
8) From the From Prl. Secretary to APPSC Lr. No 505/RT/1/2015 dated 20.02.2016

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In the reference 1st read above, Sri Syed Jani Basha Tahsildar (Retd) has made appeal petition under Rule 33(1)(i) of A.P.Civil Services (C.C&A) Rules, 1991 against the Punishment orders (i.e., removal service) issued by the Chief Commissioner of Land Administration, AP, Hyderabad to the Government. In the reference 2nd read above Government have requested the CCLA to furnish the records/remarks on the appeal filed by Sri Syed Jani Basha Tahsildar (Retd). In reply the CCLA has furnished the records and requested the Government to take necessary action in the matter in the reference 3rd read above.

2. Government after examining the records have observed that the District Collector SPSR Nellore, have framed (10) charges against Sri Syed Jani Basha Tahsildar while he was working as Tahsildar Pellakur Mandal SPSR Nellore District for non maintenance of office records/village records, and for not properly responding to public grievances vide proceedings 20.11.2010. The Charged officer has submitted his W.S.D., duly denying all the charges. The CCLA vide proceedings dated 06.01.2011 has appointed Joint Collector, SPSR Nellore as Inquiry officer to conduct inquiry into the charges framed against the C.O. The Inquiring Authority has conducted Inquiry and submitted his report dated 12.09.2011 held that the charge No.1 as not proved and the charge No.4, as partly proved and the remaining (8) charges are held proved against Sri Syed Jani Basha Tahsildar. The CCLA has communicated the Inquiry report and directed the C.O to submit his explanation on 26.04.2013, if any, and the C.O has submitted his written explanation on 01.06.2013 duly denying findings of I.O and requested the CCLA to drop further action against him.

3. The CCLA after examination of the recommendations of the I.A, has imposed a penalty of removal from Government service against Sri Syed Jani Basha Tahsildar under clause (ix) of Rule 9 of APCS (CC&A) Rules r/w G.O Ms No. 2 G.A (Ser.C) Dept., dated. 04.01.1999 vide proceedings dated 16.08.2013. In the meanwhile the District Collector Guntur has permitted the A.O to retire from service on 31.08.2013 on attaining the age of superannuation. Later, the District Collector Guntur vide letter dated 20.11.2014 has informed the CCLA that the punishment orders dt. 16.08.2013 issued by CCLA was not received in their office due to the 'Seemaandhra Strike' during that period and he has served the punishment proceedings to Sri Syed Jani Basha Tahsildar (Retd) on 10.11.2014 i.e., after the retirement of the Tahsildar (1 year two months after his retirement). Aggrieved, by the above orders Sri Syed Jani Basha, Tahsildar (Retd) has filed appeal against the punishment orders of CCLA and requested the Government to set aside the orders of CCLA.

(P.T.O)

4. Government have examined the matter in detail and observed that the punishment order (i.e., removal service) issued by CCLA on 16.08.2013 was not served on Sri Syed Jani Basha Tahsildar before his retirement and the same was served on 10.11.2014 after a lapse of 1 year two months which are not valid, since the punishment has to be issued as per A.P. Revised Pension Rules 1980 duly cancelling the earlier removal orders issued by the Chief Commissioner of Land Administration, AP, Hyderabad. Accordingly, Government have cancelled the punishment orders issued by Chief Commissioner of Land Administration, AP, Hyderabad and decided to take further necessary action in accordance with A.P., Revised Pension Rules 1980 vide reference 4th read above.

5. Government, after careful examination of the findings of the Enquiry Officer and the explanation of the Charged Officer have provisionally decided to impose a penalty of 100% cut in pension and gratuity permanently against Sri Syed Jani Basha, Tahsildar (Retd) under Rule 9 of AP Revised Pension Rules 1980. Accordingly, a show cause notices was issued to the Charged Officer indicating the provisional decision to impose a punishment of 100% cut in pension and Gratuity permanently, vide reference 5th read above. In reply, Sri Syed Jani Basha, Tahsildar (Retd) has submitted his representation stating that the charges leveled against him in vague and not with evidences. He has not escaped from his responsibilities and not committed any misdeeds any misappropriation and the allegation is not based on any facts and moreover he has worked in the Revenue Department without any punishment in his entire service and requested to drop the charges framed against him vide reference 6th read above.

6. Government after careful examination of the matter have decided to reduce proposed the punishment to that of 50% cut in pension and gratuity permanently against Sri Syed Jani Basha Tahsildar (Retd). Accordingly, Government hereby order to impose penalty of 50% cut in pension and gratuity permanently against Sri Syed Jani Basha Tahsildar (Retd)under Rule 9 of Andhra Pradesh Revised pension Rules, 1980. The Andhra Pradesh Public Service Commission has also agreed the above punishment vide reference 8th read above (copy enclosed).

7. The Chief Commissioner of Land Administration, AP, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.C.SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Syed Jani Basha Tahsildar (Retired)
(Through Chief Commissioner of Land Administration, AP, Hyderabad)
Copy to :
The Chief Commissioner of Land Administration, AP, Hyderabad along with the connected material bearing File No VS.II(2)/3209/2010 CF 1-246 and NF 1 to 41.
The District Collector Guntur
The Prl. Secry APPSC, Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.
The file.

//FORWARDED :: BY ORDER //

SECTION OFFICER.